

Committee Room,  
Austin, Texas, February 21, 1934.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 112, A bill to be entitled  
"An Act to amend Article 1650, of  
the Revised Civil Statutes of Texas,  
1925; repealing all laws in conflict  
herewith, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 21, 1934.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 111, A bill to be entitled  
"An Act authorizing and empowering  
the governing bodies of all cities  
and towns in this State, whether in-  
corporated under special or general  
law, or under the Home Rule Act,  
to determine, fix, and regulate the  
rates and service of the public utili-  
ties serving them; repealing all laws  
and parts of laws in conflict there-  
with, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 21, 1934.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 114, A bill to be entitled  
"An Act to prohibit justices of the  
peace from adjudging fees in misde-  
meanor criminal cases in favor of  
constables and deputy constables,  
where the alleged offense was com-  
mitted in a justice precinct other  
than the precinct in which such con-  
stable was elected or such deputy con-  
stable appointed, and to prohibit con-  
stables and deputy constables from  
collecting or receiving fees; etc.,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

# SIXTEENTH DAY

(Friday, February 23, 1934)

The House met at 10 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present:

Mr. Speaker.	Hoskins.
Adamson.	Huddleston.
Aikin.	Hughes.
Alexander.	Hunter.
Alsup.	Hyder.
Anderson.	Jackson.
Atchison.	James.
Baker.	Jefferson.
Barrett.	Johnson
Beck.	of Anderson.
Bergman.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Butler.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Lange.
Cathey.	Latham.
Caven.	Lemens.
Celaya.	Leonard.
Chastain.	Lindsey.
Clayton.	Long.
Colson.	Mackay.
Coombes.	Magee.
Cowley.	Mathis.
Crossley.	McCullough.
Daniel.	McGregor.
Davidson.	McKee.
Dean.	Merritt.
Devall.	Metcalfe.
Dunlap.	Mitcham.
Duvall.	Moffett.
Dwyer.	Moore.
Engelhard.	Morrison.
Fain.	Munson.
Ford.	Nicholson.
Fuchs.	Palmer.
Glass.	Parkhouse.
Golson.	Patterson.
Good.	Pavlica.
Goodman.	Pope.
Graves.	Puryear.
Greathouse.	Ratliff.
Griffith.	Ray.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hester.	Roark.
Hicks.	Roberts.
Hill.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Holloway.	Russell.

Savage.	Thomas.
Scarborough.	Tillery.
Scott.	Townsend.
Shannon.	Turlington.
Shults.	Van Zandt.
Smith.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Wells.
Stovall.	Winningham.
Stubbeman.	Wood.
Tarwater.	Young.
Tennyson.	

**Absent**

Barron.	Morse.
Harrison.	

**Absent—Excused**

Bedford.	Lotief.
Dunagan.	McDougald.
Fisher.	Ramsey.
Hunt.	Weinert.
Johnson. of Dimmit.	

A quorum was announced present.  
Prayer was offered by Rev. Geo. W Coltrin, Chaplain.

(Mr. Ford in the Chair.)

**LEAVES OF ABSENCE GRANTED**

The following Members were granted leaves of absence on account of important business.

Mr. Ramsey for today, on motion of Mr. Long.

Mr. Lotief for today, on motion of Mr. Fuchs.

The following Members were granted leaves of absence on account of illness:

Mr. Fisher for today, on motion of Mr. Alsup.

Mr. Bedford for today, on motion of Mr. Hankamer.

Mr. Dunagan for today, on account of illness of his brother, on motion of Mr. Holloway.

**RELATIVE TO RESOLUTION PERIOD**

Mr. Walker moved that the House dispense with the consideration of resolutions at this time.

The motion prevailed.

**HOUSE BILL NO. 43 WITH SENATE AMENDMENTS**

Mr. Kayton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 43, A bill to be entitled "An Act amending Article 6032, Title

102, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts, Forty-second Legislature, First Called Session, and Chapter 162, Acts, Forty-third Legislature; appropriating the proceeds of the tax derived by the provisions of Article 6032 to the Railroad Commission of Texas for the enforcement of the oil and gas laws of this State, etc."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Kayton moved that the House refuse to concur in the Senate amendments, and that the House request the appointment of a conference committee to adjust the differences between the House and Senate.

The motion prevailed.

**SENATE BILL NO. 10 ON PASSAGE TO THIRD READING**

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 10, A bill to be entitled "An Act making an emergency appropriation out of the General Revenue of the State for the purpose of enforcing the provisions of House Bill No. 76, Chapter 52, First Called Session, Forty-first Legislature, and declaring an emergency";

The bill having been read second time on yesterday.

Mr. Pope moved the previous question on the passage of the bill to third reading, and the motion was not seconded.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate Bill No. 10 was passed to third reading by the following vote:

**Yeas—56**

Alexander.	Holekamp.
Beck.	Hughes.
Butler.	Hyder.
Cathey.	Jackson.
Caven.	Jones of Shelby.
Clayton.	Kayton.
Coombes.	Kyle of Palo Pinto.
Crossley.	Lemens.
Duvall.	Leonard.
Dwyer.	Mackay.
Engelhard.	Magee.
Ford.	Metcalf.
Fuchs.	Moffett.
Greathouse.	Moore.
Griffith.	Morrison.
Hankamer.	Munson.
Harris.	Nicholson.
Hartzog.	Parkhouse.
Hill.	Patterson.

Pope.  
Ray.  
Reader.  
Reed of Dallas.  
Renfro.  
Riddle.  
Roberts.  
Scarborough.  
Shannon.

Smith.  
Stanfield.  
Steward.  
Tarwater.  
Thomas.  
Townsend.  
Turlington.  
Wagstaff.  
Walker.

## Nays—55

Adamson.  
Aikin.  
Alsup.  
Anderson.  
Atchison.  
Baker.  
Bergman.  
Bourne.  
Burns.  
Camp.  
Canon.  
Chastain.  
Colson.  
Cowley.  
Dean.  
Devall.  
Fain.  
Glass.  
Good.  
Goodman.  
Graves.  
Head.  
Hicks.  
Hodges.  
Hoskins.  
Huddleston.  
Hunter.  
James.

Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Runnels.  
Laird.  
Lindsey.  
Mathis.  
McCullough.  
Mitcham.  
Palmer.  
Pavlica.  
Puryear.  
Ratliff.  
Reed of Bowie.  
Roark.  
Savage.  
Scott.  
Shults.  
Stinson.  
Stovall.  
Stubbeman.  
Tillery.  
Van Zandt.  
Vaughan.  
Wells.  
Winningham.  
Wood.  
Young.

## Absent

Barrett.  
Barron.  
Bradley.  
Calvert.  
Celaya.  
Daniel.  
Davidson.  
Dunlap.  
Golson.  
Harman.  
Harrison.  
Hester.  
Holland.  
Holloway.  
Jefferson.

Kyle of Hays.  
Lange.  
Latham.  
Long.  
McGregor.  
McKee.  
Merritt.  
Morse.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Russell.  
Tennyson.

## Absent—Excused

Bedford.  
Dunagan.  
Fisher.  
Hunt.  
Johnson of Dimmit.

Lotief.  
McDougald.  
Ramsey.  
Weinert.

MOTION TO TAKE UP SENATE  
BILL NO. 10

Mr. Reader moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 10 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—65

Alexander.  
Atchison.  
Beck.  
Burns.  
Butler.  
Cathey.  
Caven.  
Clayton.  
Coombes.  
Crossley.  
Dunlap.  
Duvall.  
Dwyer.  
Engelhard.  
Ford.  
Fuchs.  
Glass.  
Greathouse.  
Griffith.  
Hankamer.  
Harman.  
Harris.  
Hartzog.  
Head.  
Hill.  
Holekamp.  
Holland.  
Hoskins.  
Hughes.  
Hyder.  
Jackson.  
Johnson  
of Anderson.

Jones of Shelby.  
Kayton.  
Kyle of Palo Pinto.  
Lange.  
Lemens.  
Mackay.  
Magee.  
Metcalf.  
Moffett.  
Moore.  
Munson.  
Nicholson.  
Parkhouse.  
Patterson.  
Pope.  
Ratliff.  
Ray.  
Reed of Dallas.  
Renfro.  
Riddle.  
Roberts.  
Rollins.  
Scarborough.  
Shannon.  
Smith.  
Stanfield.  
Steward.  
Tarwater.  
Thomas.  
Townsend.  
Turlington.  
Wagstaff.  
Walker.

## Nays—46

Adamson.  
Aikin.  
Alsup.  
Anderson.  
Baker.  
Bergman.  
Bourne.  
Camp.  
Canon.  
Chastain.  
Colson.  
Cowley.  
Dean.  
Devall.  
Fain.  
Good.  
Goodman.  
Graves.  
Hicks.  
Hodges.  
Huddleston.  
Hunter.  
James.

Jones of Atascosa.  
Jones of Runnels.  
Laird.  
Lindsey.  
McCullough.  
Mitcham.  
Morrison.  
Palmer.  
Pavlica.  
Puryear.  
Reed of Bowie.  
Roark.  
Scott.  
Shults.  
Stinson.  
Stovall.  
Stubbeman.  
Tillery.  
Van Zandt.  
Vaughan.  
Wells.  
Winningham.  
Wood.

## Absent

Barrett.	Long.
Barron.	Mathis.
Bradley.	McGregor.
Calvert.	McKee.
Celaya.	Merritt.
Daniel.	Morse.
Davidson.	Reader.
Golson.	Rogers of Hunt.
Harrison.	Rogers
Hester.	of Ochiltree.
Holloway.	Russell.
Jefferson.	Savage.
Kyle of Hays.	Tennyson.
Latham.	Young.
Leonard.	

## Absent—Excused

Bedford.	Lotief.
Dunagan.	McDougald.
Fisher.	Ramsey.
Hunt.	Weinert.
Johnson. of Dimmit.	

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 62, A bill to be entitled "An Act validating refunding bonds issued by certain water improvement districts under authority of Acts, 1933, Forty-third Legislature, page 171, Chapter 78; authorizing a levy to be made for prior years where part or all the bonded indebtedness of such water improvement districts has been refunded; etc., and declaring an emergency."

H. B. No. 65, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

H. B. No. 73. A bill to be entitled "An Act amending Chapter 49, Acts of the Forty-third Legislature, First Called Session, page 145 (Art. 3886-b), providing for the maximum compensation of assistant county attorneys and other employes of the

county attorney in all counties in the State having a population of 100,000 inhabitants, and not more than 150,000 inhabitants, and containing two cities of 50,000 population or more each, according to the last preceding Federal Census; etc., and declaring an emergency."

H. B. No. 96, A bill to be entitled "An Act to amend Section 9, of Article 1112-b, of the Penal Code of the State of Texas, being Section 9 of an Act of the Forty-third Legislature, passed at its Regular Session, Chapter 165, page 422, by providing for punishment by fine not exceeding five hundred dollars (\$500), etc.; making the president of any corporation the chief managing executive of each association, and the active members of each firm and partnership and the trustees of each trust, criminally responsible for the failure to comply with the terms of said Act, or for the violation of any of the terms or provisions thereof, or any rule or order duly adopted and promulgated by the said governmental agency under the terms of said Act; declaring it to be the legislative intent to enact each separate provision independent of the other provisions, and if any clause, sentence, or part of said Act shall be declared unconstitutional, the same shall not affect any other clause, sentence, or part of same, and declaring an emergency." (With amendments.)

H. B. No. 116, A bill to be entitled "An Act amending Articles 5740, 5742, 5744, and 5757, of the Revised Civil Statutes of Texas, 1925, relating to co-operative marketing associations; said articles being a portion of what is commonly known as the 'Co-operative Marketing Act of Texas,' and declaring an emergency."

H. B. No. 121, A bill to be entitled "An Act amending Sections 1 and 77, of Chapter 27, of the General and Special Laws, passed by the Forty-second Legislature at its Third Called Session, approved September 21, 1932: providing that navigation districts within this State, organized under the provisions of Section 59, of Article XVI, of the Constitution, and under the provisions of Chapter 5, of the General Laws, passed by the Thirty-ninth Legislature of the State of Texas at its Regular Session and acts amendatory thereof, or created, organized, existing, doing business, or

acting under any local and special law of the Legislature of the State of Texas, and purporting to have been enacted under the provisions of said Section 59, of Article XVI, which have voted bonds but not issued or otherwise finally disposed of same, shall be deemed as coming originally within the scope of said Act, and that no proceedings provided in Section 93 of said Act shall be required as a prerequisite to the exercise of the rights, powers, privileges, and benefits of such Act; etc., and declaring an emergency."

H. B. No. 158, A bill to be entitled "An Act fixing a limitation period of two years for the bringing of suits of any kind on account of the closing and abandonment of public streets or alleys or public roads or thoroughfares, or any parts thereof, other than State highways, by ordinance of the governing body of a city or town or by order of the commissioners court of a county; etc., and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act to regulate the conducting in public competition for prizes, awards and admission fees, and personal, physical, or mental endurance contests; regulating the manner in which contestants may participate in such contests; prescribing the penalties for violation of this Act; providing for certain exceptions to this Act; declaring that any house, structure, building, place, or open air space that is being used for purposes in violation of the provisions of this Act is declared to be a nuisance, and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act providing for the validation of the organization of all defined districts organized as water improvement districts, the name of which has been changed to water power control district, and providing for the validation of elections held in water power control districts for authorization of issuance of bonds and/or incurring debts and/or obligations, and providing for and authorizing any water power control district to make and enter into contracts with the United States of America and/or any agencies acting under laws passed by the Congress of the United States for the purpose of acquiring property and the construction of works and improvements

for such water power control districts, when the authorization for the issuance of bonds shall have been authorized by an election in such district, and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act to validate all proceedings and acts of governing boards of cities containing a population of not more than 11,000 and less than 10,500, according to the next preceding Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts, Forty-second Legislature, Regular Session, and declaring an emergency."

S. B. No. 66, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article XVI, of the Constitution of Texas, to be known as 'The Colorado River Authority'; defining the territory of such district; prescribing the purpose, authority, powers, and privileges of such corporation; providing for directors of the corporation, their term of office, their compensation, their powers and duties, and for the employment by them of a secretary, manager, attorneys, auditors, engineers, and other assistants, and declaring an emergency."

S. C. R. No. 21, Requesting the House to pass Senate Bill No. 32.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 38, to the Committee on Public Health.

Senate Bill No. 48, to the Committee on Conservation and Reclamation.

Senate Bill No. 24, to the Committee on Municipal and Private Corporations.

Senate Bill No. 66, to the Committee on Conservation and Reclamation.

## MESSAGE FROM THE GOVERNOR

The Chair laid before the House, and had read, the following message from the Governor:

Executive Office,  
Austin, Texas, February 23, 1934.

To the Forty-third Legislature in  
Second Called Session:

At the request of Representative Leonard, I am submitting herewith, for your consideration, a bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, page 734; etc., and declaring an emergency."

At the request of Representative Stovall and others, I am submitting herewith, for your consideration, a bill to be entitled "An Act fixing the compensation of the county commissioners in every county having a population of not less than fifty-three thousand five hundred (53,500) nor more than fifty-four thousand (54,000) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; etc., and declaring an emergency."

At the request of Representative Holekamp, I am submitting herewith, for your consideration, a bill to be entitled "An Act to amend Article 1134, of the Revised Civil Statutes of Texas of 1925, by providing that no new election shall be had within two years of the date of an election whereby a town or village is incorporated under the General Laws of the State of Texas, and declaring an emergency."

Respectfully,  
MIRIAM A. FERGUSON,  
Governor of Texas.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Holekamp:

H. B. No. 171, A bill to be entitled "An Act to amend Article 1134, of the Revised Civil Statutes of Texas, of 1925, by providing that no new election shall be had within two years of the date of an election whereby a town or village is incorporated under the General Laws of the State of Texas, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Leonard:

H. B. No. 172, A bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, page 734 (relating to appointment of assistant county attorneys, expense of such offices, in counties having a population of not less than 77,000, and which county consists of two judicial districts, and where there is no district attorney); etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Stovall, Mr. Kyle of Palo Pinto, Mr. Rollins, Mr. Van Zandt, Mr. Goodman, Mr. James, Mr. Reed of Dallas, Mr. Puryear, Mr. Shults, Mr. Griffith, Mr. Mackay, Mr. Russell, Mr. Jones of Runnels, Mr. Lindsey, Mr. Renfro, Mr. Head, Mr. Kyle of Hays, Mr. Crossley, Mr. Jones of Shelby, Mr. Riddle, Mr. Engelhard, Mr. Clayton, Mr. Mitcham, Mr. Scarborough, Mr. Roark, Mr. Patterson, Mr. Morse, Mr. Wells, Mr. Burns, Mr. Munson, Mr. Magee, Mr. Shannon, Mr. Smith, Mr. Thomas, Mr. Chastain, Mr. Rogers of Hunt, Mr. Hoskins, Mr. Hartzog, Mr. Harrison, Mr. Calvert, Mr. Wood, Mr. McKee, Mr. Hunter, Mr. Cathey, Mr. Good, Mr. Latham, Mr. Stubbeman, and Mr. Scott:

H. B. No. 173, A bill to be entitled "An Act fixing the compensation of the county commissioners in every county having a population of not less than fifty-three thousand, five hundred (53,500) nor more than fifty-four thousand (54,000) inhabitants, according to the last preceding United States Census; etc., and declaring an emergency."

Referred to Committee on Counties.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 25, Declaring legislative intent with reference to a preference right to lease unsurveyed school lands, etc.

S. C. R. No. 27, Declaring legislative intent with reference to powers

conferred on Texas Relief Commission regarding county administrators.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 16 ON SECOND READING

The Speaker laid before the House, as unfinished business, on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act to provide for the licensing of stores in Texas, fixing fees therefor; declaring operation without license to be a misdemeanor; defining terms used herein; providing three-fourths of fees collected hereunder shall be used for retiring principal and interest on relief bonds issued and to be issued by the Legislature, and one-fourth to be credited to the Public School Fund; making an appropriation; providing manner of issuing license by the State Comptroller, and declaring an emergency."

The bill was read second time.

Mr. Lindsey offered the following committee amendment to the bill:

Amend House Bill No. 16 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That from and after the passage of this Act it shall be unlawful for any person, firm, corporation, association or co-partnership, either foreign or domestic, to operate, maintain, open, or establish any store in this State without first having obtained a license so to do from the Comptroller of Public Accounts, as herein provided.

"Sec. 2. Any person, firm, corporation, association or co-partnership desiring to operate, maintain, open, or establish a store in this State shall apply to the Comptroller of Public Accounts for a license so to do. The application for a license shall be made on a form which shall be prescribed and furnished by the Comptroller of Public Accounts, and shall set forth the name of the owner, manager, trustee, lessee, receiver, or other person desiring such license, the name of such store, the location, including the street number of such store, and such other facts as the Comptroller of Public Accounts may require. If the applicant desires to operate, maintain,

open, or establish more than one such store, he shall make separate application for a license to operate, maintain, open, or establish each such store, but the respective stores for which the applicant desires to secure licenses may all be listed on one application blank. Each such application shall be accompanied by a filing fee of fifty cents (50c), and by the license fee as prescribed in Section 5 of this Act.

"Sec. 3. As soon as practicable, after the receipt of any such application, the Comptroller of Public Accounts shall carefully examine such application to ascertain whether it is in proper form and contains the necessary and requisite information. If, upon such examination, the Comptroller of Public Accounts shall find that any such application is not in proper form, and does not contain the necessary and requisite information, he shall return such application for correction. If an application is found to be satisfactory, and if the filing and license fee as herein prescribed, shall have been paid, the Comptroller of Public Accounts shall issue to the applicant a license for each store for which an application for a license shall have been made. Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued.

"Sec. 4. All licenses shall be so issued as to expire on the thirty-first day of December of each calendar year. On or before the first day of January of each year, every person, firm, corporation, association or co-partnership, having a license, shall apply to the Comptroller of Public Accounts for a renewal license for the calendar year next ensuing. All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the Comptroller of Public Accounts. No license shall lapse prior to the thirty-first day of January of the year for which such license was issued, and if, by such thirty-first day of January, an application for a renewal license has not been made, the Comptroller of Public Accounts shall notify such delinquent license holder thereof, by registered mail, and if application is not made for and a renewal license issued on or before the last day of February next ensuing, the former license shall lapse and become null and void. Each such application for a renewal license shall be accompanied by a filing fee of

fifty cents (50c), and by the license fee as prescribed in Section 5 of this Act.

"Sec. 5. Every person, firm, corporation, association, or co-partnership opening, establishing, operating or maintaining one or more stores or mercantile establishments within this State, under the same general management, supervision or ownership, shall pay the license fee hereinafter prescribed for the privilege of opening, establishing, operating or maintaining such stores or mercantile establishments. The license fee herein prescribed shall be paid annually, and shall be in addition to the filing fee prescribed in Sections 2 and 4 of this Act. Provided that the terms, 'store, stores, mercantile establishment or mercantile establishments,' wherever used in this Act, shall not include wholesale and/or retail lumber and building material business, and provided further, that the terms, 'store, stores, mercantile establishment, and mercantile establishments,' wherever used in this Act, shall not be construed to mean or include any place of business at which the principal business conducted is that of selling, storing or distributing petroleum products.

"The license fees herein prescribed shall be as follows:

"(1) Upon one (1) store the license fee shall be three dollars (\$3);

"(2) Upon two (2) stores the license fee shall be six dollars (\$6);

"(3) Upon each store in excess of two (2), but not to exceed five (5), the license fee shall be twenty-five dollars (\$25);

"(4) Upon each store in excess of five (5), but not to exceed ten (10), the license fee shall be fifty dollars (\$50);

"(5) Upon each store in excess of ten (10), but not to exceed twenty-five (25), the license fee shall be one hundred fifty dollars (\$150);

"(6) Upon each store in excess of twenty-five (25), but not to exceed fifty (50), the license fee shall be two hundred fifty dollars (\$250);

"(7) Upon each store in excess of fifty (50), the license fee shall be five hundred dollars (\$500).

"Sec. 6. Each and every license issued prior to the first day of July of any year shall be charged for at the

full rate, and each and every license issued on or after the first day of July of any year shall be charged for at one-half of the full rate, as prescribed in Section 5 of this Act.

"Sec. 7. The provisions of this Act shall be construed to apply to every person, firm, corporation, co-partnership or association, either domestic or foreign, which is controlled or held with others by majority stock ownership or ultimately controlled or directed by one management or association of ultimate management.

"Sec. 8. The term 'store,' as used in this Act, shall be construed to mean and include any store or stores or any mercantile establishment or establishments which are owned, operated, maintained or controlled by the same person, firm, corporation, co-partnership or association, either domestic or foreign, in which goods, wares or merchandise of any kind, are sold at retail, provided that the terms 'store, stores, mercantile establishment or mercantile establishments,' wherever used in this Act, shall not include wholesale and/or retail lumber and building material business, and provided further, that the terms 'store, stores, mercantile establishment, and mercantile establishments,' wherever used in this Act, shall not be construed to mean or include any place of business at which the principal business conducted is that of selling, storing or distributing petroleum products. Provided the provisions of this Act shall not apply to branch houses, and/or places used as bona fide distributing points by manufacturing concerns.

"Sec. 9. Any person, firm, corporation, co-partnership or association who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), and each and every day that such violation shall continue shall constitute a separate and distinct offense.

"Sec. 10. The expenses incurred by the Comptroller of Public Accounts in the administration of this Act shall be paid out of the appropriation in this Act or as much thereof as may be necessary. All money and fees collected under the provisions of this Act shall be paid into the State Treasury monthly by the Comptroller



of Public Accounts and shall be credited by the State Treasurer, three-fourths to the general revenue, to be used in retiring interest and principal of the Texas Relief Bonds now issued and to be hereafter issued, and one-fourth to the account of the available school funds.

"Sec. 11. The Comptroller of Public Accounts is hereby authorized to employ such clerical assistants as may be necessary to carry out and administer the provisions of this Act, and to prepare such blanks, forms, reports, receipts, and any and all other things which may be necessary to provide for the administration of this Act.

"The sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the General Fund of the State Treasury not otherwise appropriated, to be available upon the taking effect of this Section and to be used by the Comptroller of Public Accounts in defraying expenses which may be incurred in the administration and in preparing to administer this Act. Provided, however, that all salaries and traveling expenses to be paid out of this appropriation must be based on the same scale as will be paid for similar positions and duties as authorized in the Departmental Appropriation Bill for 1934-1935.

"Sec. 12. If any section, provision or clause of this Act should be declared invalid, such invalidity shall not be construed to affect the portions of the Act not so held invalid.

"Sec. 13. The fact that the schools of this State are in dire need of financial support, and the fact that education of the youth is one of the paramount duties of the State, and the fact that unless some restitution is provided, it is possible that our system of free public schools will deteriorate and disappear, create an emergency and an imperative public necessary, demanding the suspension of the constitutional rule that a bill be read on three several days in each House, and such constitutional rule is hereby suspended, and this Act shall take effect and be in force from and after its final passage, and it is so enacted."

Mr. Head offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 16, on page 6, by striking out all of lines 26 to 40, inclusive, and page 7, lines 1 and 2, and substituting in lieu thereof the following:

"The license fees herein prescribed shall be as follows:

(1) Upon one (1) store the license fee shall be three dollars (\$3).

(2) Upon two (2) to five (5) stores the license fee shall be five dollars (\$5) each.

(3) Upon five (5) to ten (10) stores the license fee shall be ten dollars (\$10) each.

(4) Upon ten (10) to fifteen (15) stores the license fee shall be fifteen dollars (\$15) each.

(5) Upon fifteen (15) to twenty (20) stores the license fee shall be twenty dollars (\$20) each.

(6) Upon twenty (20) to twenty-five (25) stores the license fee shall be fifty dollars (\$50) each.

(7) Upon twenty-five (25) to fifty (50) stores the license fee shall be one hundred dollars (\$100) each.

(8) Upon fifty (50) or more stores the license shall be three hundred dollars (\$300) each."

HEAD,  
JAMES.

Mr. Laird offered the following substitute for the amendment by Mr. Head:

Substitute for amendment to committee amendment by striking out of committee amendment No. 1 in House Bill No. 16, beginning with line 27, all the rest of Section 5, and amend House Bill No. 16, Section 7, page 3, by striking out all of said Section, and inserting in lieu thereof the following:

"Section 7. Each such application shall be accompanied by license fee, as follows:

For one store the license fee shall be three dollars (\$3).

For two stores and not to exceed five stores the fee shall be five dollars (\$5) each.

For six stores and not to exceed ten stores the fee shall be ten dollars (\$10) each.

For eleven stores and not to exceed twenty-five stores the fee shall be twenty dollars (\$20) each.

For fifty-one stores and not to exceed seventy-five stores the fee shall be twenty-five (\$25) each.

For each store in excess of seventy-six stores a fee of one hundred dollars (\$100) each shall be paid. The fees, as stated, shall be for a period of one year in advance, and this Act shall take effect and be in force on and after its passage."

Mr. Duvall moved that the House recess to 2 o'clock p. m., today.

The motion was lost.

On motion of Mr. Head, the House, at 11:10 o'clock a. m., agreed to stand at ease until 11:20 o'clock a. m., today.

The House reconvened at 11:20 o'clock a. m., and was called to order by Mr. Ford.

Mr. Parkhouse moved that the House stand at ease until 11:25 o'clock a. m., today.

The motion was lost.

The House resumed consideration of House Bill No. 16.

Mr. Coombes raised the following point of order on further consideration of the bill:

I raise the point of order that House Bill No. 16 is violative of Section 1, Article VIII, of the State Constitution, and Section 2 thereof being unequal and not uniform on the same class of subject.

The Chair overruled the point of order.

Mr. Head moved to table the substitute amendment offered by Mr. Laird.

The motion to table prevailed.

Question recurring on the amendment by Mr. Head to the committee amendment, it was adopted.

Mr. Parkhouse moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Duvall offered the following amendment to the committee amendment:

Amend committee amendment No. 1 of House Bill No. 16, by beginning with the word "provided," in Section 5, line 17, page 6, and striking out lines 18, 19, 20, 21, 22, 23, 24, and 25.

Amend said bill further by beginning with the word "provided," in Section 8, page 7, line 19, by strik-

ing out said word "provided," in line 19, and all matter contained in lines 20, 21, 22, 23, 24, 25, 26, and 27.

PARKHOUSE,  
DUVALL,

Question—Shall the amendment by Mr. Duvall be adopted?

## BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Leonard, House Bill No. 172 was ordered not printed.

On motion of Mr. Stubbeman, Senate Bill No. 48 was ordered not printed.

On motion of Mr. Stovall, House Bill No. 173 was ordered not printed.

On motion of Mr. Reader, Senate Bill No. 38 was ordered not printed.

On motion of Mr. Celaya, Senate Bill No. 24 was ordered not printed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 67, A bill to be entitled "An Act to amend Article 1283, Title 30, Revised Civil Statutes of 1925, prescribing the conditions and amounts of bonds to be given by live stock commission merchants, and providing for notice of cancellation of such bonds, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## HOUSE BILL NO. 35 WITH SENATE AMENDMENTS

Mr. Harman called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 35, A bill to be entitled "An Act making an appropriation of ten thousand dollars (\$10,000), to be used by the State Board of Water Engineers for assembling the necessary data and for necessary expenses incurred in presenting application of Brazos River Reclamation District before the Public Works Administration and the Department of Interior and the President of the United States,

and for paying the existing indebtedness of said Reclamation District; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Harman, the House concurred in the Senate amendments.

(Speaker in the Chair.)

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 14, A bill to be entitled "An Act granting to the Houston Yacht Club, its successors and assigns, all right, title, and interest of the State of Texas to certain land under the waters of Galveston Bay, described as follows: Beginning at the northeast corner of that certain tract of land in Harris County, Texas, lying on the waters of Galveston Bay, described in deed from Shoracres, Inc., to San Jacinto Bay Corporation, dated March 23, 1927, recorded in volume 697, page 460, deed records of Harris County, Texas; thence in a southeasterly direction along the waters of Galveston Bay and following the southeasterly line of said tract conveyed to San Jacinto Bay Corporation, and declaring an emergency."

S. B. No. 70, A bill to be entitled "An Act to change and prescribe the time for holding the terms of district court in the One Hundred and Eighth Judicial District, and declaring an emergency."

S. C. R. No. 14, Granting D. F. Jones Construction Company permission to sue the State.

S. C. R. No. 15, Granting Ben Sira permission to sue the State.

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 67, to the Committee on State Affairs.

#### RECESS

On motion of Mr. Butler, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 16 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 16, providing for the licensing of stores in Texas, etc., the bill having been read second time on this morning, with committee amendment by Mr. Lindsey, and amendment by Mr. Duvall to the committee amendment, pending.

Mr. Jefferson moved that the bill be laid on the table subject to call. The motion was lost.

Mr. Wells moved the previous question on the pending amendments and the bill, and the main question was ordered.

Mr. Harman offered the following substitute for the amendment to the committee amendment:

Substitute for amendment to committee amendment No. 1 to House Bill No. 16 by beginning with the word "provided," in Section 5, line 17, page 6, and striking out lines 21, 22, 23, 24, and 25; amend said bill further by beginning with the word "provided," in Section 8, page 7, line 19, by striking out said word "provided," in line 19, and in all matter contained in lines 23, 24, 25, 26, and 27.

HARMAN,  
CAMP.

Mr. Wells moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider prevailed. Question recurring on the motion for the main question, it was lost.

Mr. Wells moved the previous question on the engrossment of the bill, and the pending amendments heretofore read, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—63

Adamson.	Hunter.
Barrett.	James.
Barron.	Jones of Runnels.
Beck.	Jones of Shelby.
Bergman.	Lemens.
Bourne.	Lindsey.
Burns.	Mackay.
Butler.	Magee.
Calvert.	Mathis.
Canon.	Merritt.
Caven.	Mitcham.
Celaya.	Moffett.
Clayton.	Nicholson.
Colson.	Palmer.
Cowley.	Pope.
Crossley.	Ray.
Daniel.	Reader.
Devall.	Reed of Bowie.
Dwyer.	Roark.
Engelhard.	Rogers
Fisher.	of Ochiltree.
Fuchs.	Rollins.
Goodman.	Scott.
Greathouse.	Shults.
Griffith.	Smith.
Hankamer.	Stubbeman.
Harris.	Townsend.
Head.	Turlington.
Hicks.	Van Zandt.
Hodges.	Walker.
Holland.	Wells.
Hoskins.	Young.

## Nays—53

Aikin.	Leonard.
Alexander.	McCullough.
Alsup.	McGregor.
Anderson.	Metcalf.
Atchison.	Moore.
Baker.	Munson.
Camp.	Patterson.
Coombes.	Pavlica.
Dean.	Puryear.
Duvall.	Ratliff.
Fain.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Rogers of Hunt.
Harman.	Russell.
Hester.	Scarborough.
Hill.	Shannon.
Holekamp.	Stanfield.
Huddleston.	Steward.
Hughes.	Stinson.
Hyder.	Tarwater.
Johnson	Thomas.
of Anderson.	Tillery.
Jones of Atascosa.	Vaughan.
Kyle of Hays.	Wagstaff.
Kyle of Palo Pinto.	Winningham.
Latham.	Wood.

## Absent

Bradley.	Chastain.
Cathey.	Davidson.

Dunlap.	Lange.
Dunagan.	Long.
Ford.	McKee.
Graves.	Morrison.
Harrison.	Morse.
Hartzog.	Parkhouse.
Holloway.	Roberts.
Jackson.	Savage.
Jefferson.	Stovall.
Kayton.	Tennyson.
Laird.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

Question recurring on the substitute amendment by Mr. Harman, it was adopted.

Question recurring on the amendment to the amendment, as substituted, it was lost.

Question recurring on the committee amendment, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 16 was then passed to engrossment.

## MOTION TO TAKE UP HOUSE BILL NO. 16

Mr. Lindsey moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 16 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—87

Adamson.	Daniel.
Aikin.	Engelhard.
Alexander.	Fisher.
Alsup.	Fuchs.
Beck.	Glass.
Bergman.	Golson.
Bourne.	Graves.
Bradley.	Greathouse.
Burns.	Griffith.
Calvert.	Hankamer.
Canon.	Harris.
Cathey.	Hartzog.
Caven.	Head.
Chastain.	Hester.
Clayton.	Hicks.
Colson.	Hodges.
Cowley.	Holekamp.
Crossley.	Holland.

Hoskins.	Purveyar.
Huddleston.	Ratliff.
Hunter.	Reader.
Hyder.	Reed of Bowie.
Jackson.	Roark.
James.	Rogers of Hunt.
Jefferson.	Rogers
Johnson	of Ochiltree.
of Anderson.	Rollins.
Jones of Runnels.	Savage.
Jones of Shelby.	Scott.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Stanfield.
Latham.	Steward.
Lemens.	Tarwater.
Lindsey.	Tennyson.
Long.	Thomas.
Mackay.	Tillery.
Magee.	Turlington.
McKee.	Van Zandt.
Merritt.	Vaughan.
Metcalfe.	Wagstaff.
Mitcham.	Walker.
Moffett.	Wells.
Morrison.	Winningham.
Palmer.	Wood.
Pope.	

## Nays—36

Anderson.	McCullough.
Atchison.	McGregor.
Baker.	Moore.
Butler.	Munson.
Camp.	Parkhouse.
Celaya.	Patterson.
Coombes.	Pavlica.
Dean.	Ray.
Devall.	Reed of Dallas.
Duvall.	Renfro.
Dwyer.	Riddle.
Fain.	Russell.
Good.	Shults.
Goodman.	Smith.
Harman.	Stinson.
Hill.	Stovall.
Hughes.	Stubbeman.
Mathis.	Young.

## Absent

Barrett.	Kayton.
Barron.	Laird.
Davidson.	Lange.
Dunlap.	Leonard.
Dunagan.	Morse.
Ford.	Nicholson.
Harrison.	Roberts.
Holloway.	Scarborough.
Jones of Atascosa.	Townsend.

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 13

The Speaker announced the appointment of the following conference committee on House Bill No. 13: Messrs. Long, Jones of Atascosa, Duvall, Mrs. Hughes, and Mr. McGregor.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 13. The following have been appointed on the part of the Senate: Senators Woodruff, Martin, Regan, Rawlings, and Holbrook.

The Senate has passed

H. B. No. 81, A bill to be entitled "An Act amending Article 879 and Article 879-b, of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, etc.; making it unlawful to hunt, take, or kill wild mourning doves, wild quail of all kind, wild Mexican pheasants, or chachalaca, at any other time of year; providing a penalty, and declaring an emergency."

H. B. No. 91, A bill to be entitled "An Act designating fur-bearing animals; declaring them the property of the State; declaring a five (5) year closed season on wild fox in certain counties; providing a penalty for violations of this Act, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 65, "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other

months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

H. B. No. 73, "An Act amending Chapter 49, Acts of the Forty-third Legislature, First Called Session, page 145 (Article 3886-b), providing for the maximum compensation of assistant county attorneys and other employes of the county attorney in all counties in the State having a population of 100,000 inhabitants, and not more than 150,000 inhabitants, and containing two cities of 50,000 population or more each, according to the last preceding Federal Census; etc., and declaring an emergency."

H. B. No. 116, "An Act amending Articles 5740, 5742, 5744, and 5757, of the Revised Civil Statutes of Texas, 1925, relating to co-operative marketing associations, said articles being a portion of what is commonly known as the 'Co-operative Marketing Act of Texas,' and declaring an emergency."

H. B. No. 35, "An Act making an appropriation of ten thousand dollars (\$10,000), to be used by the State Board of Water Engineers, for assembling the necessary data, and for necessary expenses incurred in presenting application of Brazos River and Reclamation District before the Public Works Administration and the Department of Interior and the President of the United States, and for paying the existing indebtedness of said Brazos River Conservation and Reclamation District, and declaring an emergency."

H. B. No. 121, "An Act amending Sections 1 and 77, of Chapter 27, of the General and Special Laws passed by the Forty-second Legislature, at its Third Called Session, approved September 21, 1932; providing that navigation districts within this State, organized under the provisions of Section 59, of Article XVI, of the Constitution, and under the provisions of Chapter 5, of the General Laws, passed by the Thirty-ninth Legislature of the State of Texas, at its Regular Session, and Acts amendatory thereof, or created, organized, existing, doing business, or acting under any local and special law of the Legislature of the State

of Texas, and purporting to have been enacted under the provisions of said Section 59, of Article XVI, which have voted bonds but not issued or otherwise finally disposed of same, shall be deemed as coming originally within the scope of said Act, and that no proceedings provided in Section 93, of said Act, shall be required as a prerequisite to the exercise of the rights, powers, privileges, and benefits of such Act; etc., and declaring an emergency."

H. B. No. 158 "An Act fixing a limitation period of two years for the bringing of suits of any kind on account of the closing and abandonment of public streets or alleys or public roads or thoroughfares, or any parts thereof, other than State highways, by ordinance of the governing body of a city or town or by order of the commissioners court of a county; etc., and declaring an emergency."

H. B. No. 62, "An Act validating refunding bonds issued by certain water improvement districts, under authority of Acts, 1933, Forty-third Legislature, page 171, Chapter 78; authorizing a relevy to be made for prior years where part or all the bonded indebtedness of such water improvement districts has been refunded; etc."

H. B. No. 81, "An Act amending Article 879 and Article 879-b, of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, etc.; making it unlawful to hunt, take, or kill wild mourning doves, wild quail of all kind, wild Mexican pheasants, or chachalaca, at any other time of year; providing a penalty; etc., and declaring an emergency."

H. B. No. 91, "An Act designating fur-bearing animals; declaring them the property of the State; declaring a five (5) year closed season on wild fox in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

(Mr. Camp in the Chair.)

#### MESSAGE FROM THE GOVERNOR

The Chair laid before the House, and had read, the following message from the Governor:

Executive Office,  
Austin, Texas, February 23, 1934.

To the Forty-third Legislature in  
Second Called Session:

At the request of Representatives  
Camp and James, I am submitting  
herewith for your consideration a  
bill to be entitled "An Act amending  
Article 2676, of the Revised Civil  
Statutes of Texas, 1925, as amended  
by Chapter 34, Acts, Third Called  
Session, Forty-second Legislature,  
and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

(Speaker in the Chair.)

#### BILL ORDERED PRINTED

Mr. Glass moved to reconsider the  
vote by which the House refused to  
print House Bill No. 151 on minority  
report.

The motion to reconsider prevailed.

Question then recurring on the mo-  
tion that House Bill No. 151 be  
printed on a minority report, yeas  
and nays were demanded.

The motion prevailed by the follow-  
ing vote:

Yeas—76

Alexander.	Hoskins.
Baker.	Huddleston.
Beck.	Hunter.
Bergman.	Jackson.
Bourne.	Jefferson.
Bradley.	Johnson
Burns.	of Anderson.
Camp.	Jones of Atascosa.
Cathey.	Jones of Runnels.
Celaya.	Jones of Shelby.
Chastain.	Kyle of Palo Pinto.
Clayton.	Latham.
Colson.	Lemens.
Coombes.	Leonard.
Cowley.	Long.
Daniel.	Mackay.
Dean.	Mathis.
Dunlap.	McGregor.
Duvall.	Merritt.
Engelhard.	Metcalf.
Fain.	Mitcham.
Fuchs.	Moffett.
Glass.	Morrison.
Golson.	Nicholson.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Hankamer.	Ratliff.
Hartzog.	Ray.
Hester.	Reader.
Hill.	Reed of Dallas.
Holland.	Renfro.

Rogers  
of Ochiltree.  
Scott.  
Shults.  
Smith.  
Stanfield.  
Steward.

Stinson.  
Stubbeman.  
Tarwater.  
Thomas.  
Wagstaff.  
Walker.  
Wood.

Nays—29

Adamson.  
Aikin.  
Alsup.  
Anderson.  
Atchison.  
Barrett.  
Butler.  
Canon.  
Crossley.  
Devall.  
Fisher.  
Good.  
Goodman.  
Harris.  
Head.

Hodges.  
Kyle of Hays.  
Magee.  
Moore.  
Munson.  
Palmer.  
Reed of Bowie.  
Rollins.  
Russell.  
Savage.  
Tennyson.  
Tillery.  
Turlington.  
Van Zandt.

Absent

Barron.  
Calvert.  
Caven.  
Davidson.  
Dunagan.  
Dwyer.  
Ford.  
Harman.  
Harrison.  
Hicks.  
Holekamp.  
Holloway.  
Hughes.  
Hyder.  
James.  
Kayton.  
Laird.  
Lange.

Lindsey.  
McCullough.  
McKee.  
Morse.  
Parkhouse.  
Purvey.  
Riddle.  
Roark.  
Roberts.  
Rogers of Hunt.  
Scarborough.  
Shannon.  
Stovall.  
Townsend.  
Vaughan.  
Wells.  
Winningham.  
Young.

Absent—Excused

Bedford.  
Hunt.  
Johnson.  
of Dimmit.

Lotief.  
McDougald.  
Ramsey.  
Weinert.

#### MOTION TO TAKE UP HOUSE BILL NO. 16

Mr. Lindsey moved that the con-  
stitutional rule, requiring bills to be  
read on three several days, be sus-  
pended, and that House Bill No. 16  
be placed on its third reading and  
final passage.

The motion was lost (not receiving  
the necessary four-fifths vote) by the  
following vote:

## Yeas—78

Adamson.	Jones of Shelby.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Latham.
Barrett.	Lemens.
Beck.	Lindsey.
Bergman.	Mackay.
Bourne.	Magee.
Burns.	McKee.
Calvert.	Merritt.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Colson.	Nicholson.
Cowley.	Palmer.
Crossley.	Pope.
Daniel.	Puryear.
Engelhard.	Ratliff.
Fain.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Rogers of Hunt.
Golson.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Hankamer.	Savage.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Stanfield.
Hicks.	Steward.
Hodges.	Stovall.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Tillery.
Huddleston.	Turlington.
Hunter.	Van Zandt.
Jackson.	Vaughan.
James.	Wagstaff.
Jefferson.	Walker.
Jones of Runnels.	

## Nays—34

Anderson.	Mathis.
Atchison.	McCullough.
Baker.	Metcalfe.
Butler.	Morrison.
Camp.	Munson.
Coombes.	Parkhouse.
Dean.	Pavlica.
Devall.	Ray.
Duvall.	Reed of Dallas.
Dwyer.	Riddle.
Fisher.	Russell.
Good.	Smith.
Goodman.	Stinson.
Harman.	Stubbeman.
Hill.	Thomas.
Johnson	Townsend.
of Anderson.	Wood.
Leonard.	

## Absent

Barron.	Chastain.
Bradley.	Clayton.
Celaya.	Davidson.

Dunlap.	Long.
Dunagan.	McGregor.
Ford.	Morse.
Griffith.	Patterson.
Harrison.	Renfro.
Holloway.	Roark.
Hughes.	Roberts.
Hyder.	Scarborough.
Jones of Atascosa.	Wells.
Kayton.	Winningham.
Laird.	Young.
Lange.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 43

The Speaker announced the appointment of the following conference committee on House Bill No. 43: Messrs. Long, Coombes, Scott, Hyder, and Wood.

HOUSE BILL NO. 96 WITH SEN-  
ATE AMENDMENTS

Mr. Long called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 96, A bill to be entitled "An Act to amend Section 9, of Article 1112-b, of the Penal Code of the State of Texas, being Section 9 of an Act of the Forty-third Legislature, passed at its Regular Session, Chapter 165, page 422, by providing for punishment by fine not exceeding five hundred dollars (\$500), etc.; making the president of any corporation the chief managing executive of each association, and the active members of each firm and partnership and the trustees of each trust criminally responsible for the failure to comply with the terms of said Act, or for the violation of any of the terms or provisions thereof, or any rule or order duly adopted and promulgated by the said governmental agency under the terms of said Act; declaring it to be the legislative intent to enact each separate provision independent of the other provisions, and if any clause, sentence, or part of said Act shall be declared unconstitutional, the same shall not affect any other clause, sentence, or part of same, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.



On motion of Mr. Long, the House concurred in the Senate amendments by the following vote:

## Yeas—109

Adamson.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson.	Long.
Atchison.	Mackay.
Baker.	Magee.
Barrett.	McGregor.
Bourne.	Merritt.
Bradley.	Metcalfe.
Calvert.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Chastain.	Munson.
Clayton.	Nicholson.
Colson.	Palmer.
Cowley.	Patterson.
Crossley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Duvall.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Riddle.
Golson.	Roark.
Good.	Rogers of Hunt.
Goodman.	Rogers
Graves.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Russell.
Harman.	Savage.
Harris.	Scarborough.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Hicks.	Stanfield.
Hill.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Tarwater.
Hunter.	Tennyson.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Atascosa.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Hays.	Winningham.
Kyle of Palo Pinto.	Wood.
Laird.	Young.
Latham.	

## Nays—7

Aikin.	Hoskins.
Burns.	McKee.
Coombes.	Parkhouse.
Glass.	

## Absent

Barron.	Holland.
Beck.	Holloway.
Bergman.	Hyder.
Butler.	Kayton.
Camp.	Lange.
Celaya.	Mathis.
Dunlap.	McCullough.
Dunagan.	Morse.
Dwyer.	Reader.
Ford.	Roberts.
Fuchs.	Scott.
Greathouse.	Wells.
Harrison.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

HOUSE BILL NO. 161 ON PASSAGE  
TO ENGROSSMENT

The Speaker laid before the House, on its passage to engrossment,

H. B. No. 161, A bill to be entitled "An Act further defining the offense of bribery; making any person employed in any department of State Government guilty of bribery, who contributes to the head of the department in which he is employed any money or property to further the campaign of such department head for nomination or election to any State office; providing that if any such employe uses any property belonging to the State to aid in any campaign for office sought by the head of the department in which he is employed, he shall be guilty of bribery; providing that any State officer who accepts campaign contributions from State employes in his department or knowingly permits same to be done, shall be guilty of accepting a bribe; providing penalties, and declaring an emergency";

The bill having been read second time on yesterday.

Mr. Calvert offered the following amendments to the bill:

## (1)

Amend House Bill No. 161 by striking out the words "bribe," "bribery," and "accepting a bribe," wherever they appear in Sections 2, 2-a, and 3, and insert in lieu thereof the word "a misdemeanor."

## (2)

Amend House Bill No. 161, Section 1, lines 12 and 13, by striking

out the phrase "confinement in the State Penitentiary for not less than two nor more than ten years," and insert in lieu thereof the following: "a fine of not less than \$100 nor more than \$500, and by confinement in jail for not less than 30 nor more than 90 days"; and by making the same change in lines 1, 2, and 3, on page 2, Section 2, and the same change in Section 2-a.

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 161 was then passed to engrossment by the following vote:

## Yeas—63

Aikin.	Latham.
Alsup.	Leonard.
Atchison.	Long.
Barrett.	Magee.
Barron.	McCullough.
Bradley.	McKee.
Butler.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moore.
Cathey.	Morrison.
Clayton.	Nicholson.
Coombes.	Palmer.
Cowley.	Parkhouse.
Devall.	Pavlica.
Fain.	Pope.
Fuchs.	Roark.
Glass.	Rollins.
Good.	Russell.
Graves.	Savage.
Hankamer.	Scott.
Harris.	Shannon.
Hartzog.	Smith.
Head.	Stinson.
Hicks.	Stubbeman.
Holekamp.	Tillery.
Hughes.	Townsend.
Hunter.	Turlington.
James.	Wagstaff.
Jones of Shelby.	Walker.
Laird.	Winningham.
Lange.	

## Nays—50

Adamson.	Dean.
Alexander.	Duvall.
Anderson.	Dwyer.
Baker.	Engelhard.
Bergman.	Fisher.
Burns.	Goodman.
Chastain.	Harman.
Colson.	Hester.
Crossley.	Hill.
Daniel.	Hodges.

Hoskins.	Ratliff.
Huddleston.	Ray.
Jackson.	Reader.
Johnson	Reed of Bowie.
of Anderson.	Reed of Dallas.
Jones of Atascosa.	Riddle.
Jones of Runnels.	Rogers of Hunt.
Kyle of Hays.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Lemens.	Shults.
Lindsey.	Stanfield.
Mackay.	Steward.
McGregor.	Stovall.
Moffett.	Thomas.
Munson.	Van Zandt.
Puryear.	Vaughan.

## Present—Not Voting

Wood.

## Absent

Beck.	Hyder.
Bourne.	Jefferson.
Caven.	Kayton.
Celaya.	Mathis.
Davidson.	Morse.
Dunlap.	Patterson.
Dunagan.	Renfro.
Ford.	Roberts.
Golson.	Scarborough.
Greathouse.	Tarwater.
Griffith.	Tennyson.
Harrison.	Wells.
Holland.	Young.
Holloway.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

## MOTION TO TAKE UP HOUSE BILL NO. 161

Mr. Cowley moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 161 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—69

Aikin.	Canon.
Alsup.	Cathey.
Atchison.	Clayton.
Barrett.	Coombes.
Barron.	Cowley.
Bourne.	Devall.
Bradley.	Dunlap.
Butler.	Engelhard.
Calvert.	Fain.
Camp.	Fuchs.

Golson.	Moore.
Good.	Morrison.
Graves.	Nicholson.
Hankamer.	Palmer.
Harris.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hicks.	Pope.
Holekamp.	Renfro.
Hughes.	Roark.
Hunter.	Rollins.
James.	Russell.
Jones of Shelby.	Savage.
Lange.	Scott.
Latham.	Shannon.
Lemens.	Smith.
Leonard.	Stinson.
Long.	Stubbeman.
Mackay.	Tillery.
Magee.	Townsend.
McCullough.	Turlington.
McKee.	Wagstaff.
Merritt.	Winningham.
Metcalf.	Wood.
Mitcham.	

## Nays—45

Adamson.	Kyle of Palo Pinto.
Alexander.	Lindsey.
Anderson.	McGregor.
Baker.	Moffett.
Bergman.	Munson.
Burns.	Puryear.
Chastain.	Ratliff.
Crossley.	Ray.
Daniel.	Reader.
Dean.	Reed of Bowie.
Duvall.	Reed of Dallas.
Fisher.	Riddle.
Harman.	Rogers of Hunt.
Hester.	Rogers
Hill.	of Ochiltree.
Hodges.	Shults.
Hoskins.	Stanfield.
Huddleston.	Steward.
Jackson.	Stovall.
Johnson	Thomas.
of Anderson.	Van Zandt.
Jones of Atascosa.	Vaughan.
Jones of Runnels.	Young.
Kyle of Hays.	

## Absent

Beck.	Holloway.
Caven.	Hyder.
Celaya.	Jefferson.
Colson.	Kayton.
Davidson.	Laird.
Dunagan.	Mathis.
Dwyer.	Morse.
Ford.	Roberts.
Glass.	Scarborough.
Goodman.	Tarwater.
Greathouse.	Tennyson.
Griffith.	Walker.
Harrison.	Wells.
Holland.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 43. The following have been appointed on the part of the Senate: Senators Woodward, Small, Martin, Stone, and Redditt.

The Senate has refused to concur in House amendments to Senate Bill No. 13, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Purl, Greer, Moore, Pace, and Russek.

Respectfully,

**BOB BARKER,**  
Secretary of the Senate.

## HOUSE BILL NO. 136 ON SECOND READING

On motion of Mr. Pope, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 136, A bill to be entitled "An Act withdrawing from sale or lease for minerals or otherwise all lands situated in the bed of the Nueces River between the lower boundary of La Fruta Dam, now being reconstructed by the City of Corpus Christi, and the junction of the Nueces River with the eastern boundary of McMullen County; requiring that land within such area hereafter relinquished be not again leased or otherwise disposed of; permitting the holders of leases in such areas to relinquish them; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 136 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—102

Adamson.	Latham.
Aikin.	Lemens.
Alsup.	Leonard.
Anderson.	Lindsey.
Atchison.	Mackay.
Baker.	Magee.
Barrett.	Mathis.
Barron.	McGregor.
Bourne.	Merritt.
Burns.	Metcalf.
Butler.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Chastain.	Morrison.
Clayton.	Munson.
Colson.	Nicholson.
Cowley.	Palmer.
Crossley.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Dunlap.	Pope.
Duvall.	Puryear.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reader.
Fisher.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Graves.	Roark.
Greathouse.	Russell.
Hankamer.	Savage.
Harris.	Scarborough.
Hartzog.	Shults.
Head.	Smith.
Hester.	Stanfield.
Hicks.	Stinson.
Hill.	Stovall.
Holekamp.	Stubbeman.
Huddleston.	Tarwater.
Hughes.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Lange.	

## Nays—1

Scott.

## Present—Not Voting

Devall.

## Absent

Alexander. Beck.

Bergman.	Hoskins.
Bradley.	Hunter.
Canon.	Hyder.
Cathey.	Kayton.
Caven.	Laird.
Celaya.	Long.
Coombes.	McCullough.
Daniel.	McKee.
Dunagan.	Morse.
Ford.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Griffith.	of Ochiltree.
Harman.	Rollins.
Harrison.	Shannon.
Hodges.	Steward.
Holland.	Tennyson.
Holloway.	Winningham.

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

The Speaker laid House Bill No. 136 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—103

Adamson.	Greathouse.
Aikin.	Hankamer.
Alsup.	Harris.
Anderson.	Hartzog.
Atchison.	Head.
Baker.	Hester.
Barrett.	Hicks.
Bourne.	Hill.
Bradley.	Holekamp.
Burns.	Holland.
Butler.	Hoskins.
Calvert.	Huddleston.
Canon.	Jackson.
Cathey.	James.
Caven.	Jefferson.
Celaya.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Jones of Shelby.
Coombes.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Crossley.	Lange.
Davidson.	Latham.
Dean.	Lemens.
Dunlap.	Leonard.
Duvall.	Mackay.
Dwyer.	Magee.
Engelhard.	Mathis.
Fain.	McKee.
Fisher.	Merritt.
Glass.	Metcalf.
Golson.	Mitcham.
Good.	Moffett.
Graves.	Munson.

Nicholson.	Scott.
Palmer.	Shults.
Parkhouse.	Smith.
Patterson.	Stanfield.
Pavlica.	Stinson.
Pope.	Stovall.
Puryear.	Stubbeman.
Ratliff.	Tarwater.
Ray.	Tillery.
Reader.	Townsend.
Reed of Bowie.	Turlington.
Reed of Dallas.	Van Zandt.
Renfro.	Vaughan.
Riddle.	Wagstaff.
Roark.	Walker.
Rogers of Hunt.	Wells.
Savage.	Wood.
Scarborough.	Young.

## Present—Not Voting

Devall.

## Absent

Alexander.	Kayton.
Barron.	Laird.
Beck.	Lindsey.
Bergman.	Long.
Camp.	McCullough.
Daniel.	McGregor.
Dunagan.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Goodman.	Roberts.
Griffith.	Rogers
Harman.	of Ochiltree.
Harrison.	Rollins.
Hodges.	Russell.
Holloway.	Shannon.
Hughes.	Steward.
Hunter.	Tennyson.
Hyder.	Thomas.
Jones of Runnels.	Winningham.

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

HOUSE BILL NO. 88 ON SECOND  
READING

On motion of Mr. Mathis, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 88, A bill to be entitled "An Act declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas, with reference to pro-

ducers, distributors, and processors of milk and milk products; defining certain terms used in the bill: etc."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 88 ON THIRD  
READING

Mr. Mathis moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 88 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93

Adamson.	Kyle of Palo Pinto.
Alsup.	Lange.
Baker.	Lemens.
Barrett.	Mackay.
Beck.	Magee.
Bergman.	Mathis.
Bourne.	McCullough.
Bradley.	McGregor.
Butler.	Merritt.
Calvert.	Metcalf.
Canon.	Mitcham.
Cathey.	Moffett.
Caven.	Moore.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Parkhouse.
Daniel.	Patterson.
Davidson.	Pavlica.
Dean.	Pope.
Duvall.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roark.
Good.	Rollins.
Goodman.	Russell.
Graves.	Savage.
Greathouse.	Scarborough.
Hankamer.	Scott.
Harris.	Shannon.
Head.	Shults.
Hicks.	Smith.
Hill.	Stanfield.
Hodges.	Stinson.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Hoskins.	Thomas.
Hughes.	Tillery.
Hunter.	Townsend.
Jackson.	Turlington.
Jefferson.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Wells.
Jones of Shelby.	Wood.
Kyle of Hays.	Young.

## Nays—9

Aikin.	Puryear.
Burns.	Reed of Bowie.
Crossley.	Rogers of Hunt.
Huddleston.	Vaughan.
Jones of Runnels.	

## Present—Not Voting

Devall.

## Absent

Alexander.	James.
Anderson.	Kayton.
Atchison.	Laird.
Barron.	Latham.
Camp.	Leonard.
Colson.	Lindsey.
Coombes.	Long.
Cowley.	McKee.
Dunlap.	Morrison.
Dunagan.	Morse.
Dwyer.	Palmer.
Fisher.	Reader.
Ford.	Roberts.
Griffith.	Rogers
Harman.	of Ochiltree.
Harrison.	Steward.
Hartzog.	Stovall.
Hester.	Tennyson.
Holloway.	Winningham.
Hyder.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson.	Ramsey.
of Dimmit.	Weinert.

The Speaker laid House Bill No. 88 before the House on its third reading and final passage.

The bill was read third time.

Mr. Anderson asked unanimous consent of the House to have "Bexar County" added to the provisions of the bill.

There was objection offered.

House Bill No. 88 was passed by the following vote:

## Yeas—99

Adamson.	Caven.
Alsup.	Celaya.
Anderson.	Chastain.
Atchison.	Clayton.
Baker.	Davidson.
Barrett.	Dean.
Beck.	Dwyer.
Bourne.	Engelhard.
Bradley.	Fain.
Butler.	Fuchs.
Calvert.	Glass.
Canon.	Golson.
Cathey.	Good.

Graves.	Moffett.
Greathouse.	Moore.
Griffith.	Munson.
Hankamer.	Nicholson.
Harman.	Parkhouse.
Harris.	Pavlica.
Hartzog.	Pope.
Head.	Ratliff.
Hill.	Ray.
Hodges.	Reed of Dallas.
Holekamp.	Renfro.
Holland.	Riddle.
Hoskins.	Roark.
Huddleston.	Rollins.
Hughes.	Russell.
Hunter.	Savage.
Jackson.	Scarborough.
James.	Scott.
Jefferson.	Shannon.
Johnson	Shults.
of Anderson.	Smith.
Jones of Atascosa.	Stanfield.
Jones of Shelby.	Steward.
Kyle of Palo Pinto.	Stinson.
Laird.	Stovall.
Lange.	Stubbeman.
Lemens.	Tarwater.
Leonard.	Thomas.
Mackay.	Tillery.
Magee.	Townsend.
Mathis.	Turlington.
McCullough.	Van Zandt.
McGregor.	Wagstaff.
McKee.	Walker.
Merritt.	Wells.
Metcalfe.	Wood.
Mitcham.	Young.

## Nays—9

Aikin.	Reed of Bowie.
Burns.	Rogers of Hunt.
Crossley.	Vaughan.
Daniel.	Winningham.
Puryear.	

## Present—Not Voting

Devall.	Kyle of Hays.
Jones of Runnels.	Lindsey.

## Absent

Alexander.	Hicks.
Barron.	Holloway.
Bergman.	Hyder.
Camp.	Kayton.
Colson.	Latham.
Coombes.	Long.
Cowley.	Morrison.
Dunlap.	Morse.
Dunagan.	Palmer.
Duvall.	Patterson.
Fisher.	Reader.
Ford.	Roberts.
Goodman.	Rogers
Harrison.	of Ochiltree.
Hester.	Tennyson.

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

## HOUSE BILL NO. 105 ON SECOND READING

On motion of Mr. McKee, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 105, A bill to be entitled "An Act prohibiting the building or laying out of any new highway or partial highway, intended principally for intercity traffic between the cities of Beaumont and Port Arthur, in Jefferson County, Texas, and requiring any new highway or partial highway to be built along the routes of the highways now existing between said cities; providing that any aggrieved citizen in Jefferson County may be entitled to restrain violation of this law, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 105, Section 1, by striking out all of Section 1, and insert in lieu thereof a new section, which shall hereafter read as follows:

"Section 1. That no new highway or partial highway intended principally for intercity traffic between the cities of Beaumont and Port Arthur, in Jefferson County, Texas, shall be located, built, or established, other than along the route to be agreed upon at a public hearing, and an order entered in the minutes of the Commissioners Court of Jefferson County, Texas, designating such route; which hearing shall be held in the county seat of Jefferson County, Texas."

The amendment was adopted.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 105, Section 2, by striking out all of Section 2, and insert in lieu thereof the following:

"Section 2. In the absence of such public hearing, any aggrieved citizen or citizens of the County of Jefferson shall be entitled to an injunction

restraining any violation of this Act, upon proper petition to the district judge of said county; provided, that no injunction shall issue against the Highway Department."

The amendment was adopted.

Mr. Russell offered the following amendment to the bill:

Amend House Bill No. 105 by adding the following:

"Provided, however, the Highway Department of the State of Texas shall not appropriate any money or spend any money previously appropriated on any road in Jefferson County unless the route of said road shall be designated and approved by the Highway Department of the State of Texas."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 105 was passed to engrossment.

## MOTION TO TAKE UP HOUSE BILL NO. 105

Mr. McKee moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 105 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—74

Aikin.	Holland.
Baker.	Hughes.
Barrett.	Jackson.
Calvert.	James.
Canon.	Jefferson.
Celaya.	Johnson
Clayton.	of Anderson.
Cowley.	Jones of Shelby.
Crossley.	Kyle of Hays.
Devall.	Kyle of Palo Pinto.
Duvall.	Laird.
Engelhard.	Lange.
Fuchs.	Latham.
Glass.	Lemens.
Golson.	Leonard.
Good.	Mackay.
Graves.	Magee.
Greathouse.	McKee.
Harris.	Moore.
Head.	Morrison.
Hicks.	Munson.
Hill.	Nicholson.
Hodges.	Palmer.

Parkhouse.	Shults.
Pavlica.	Smith.
Ratliff.	Stanfield.
Ray.	Steward.
Reader.	Stinson.
Reed of Bowie.	Stovall.
Reed of Dallas.	Stubbeman.
Renfro.	Tillery.
Riddle.	Townsend.
Roark.	Turlington.
Rollins.	Walker.
Russell.	Wells.
Savage.	Wood.
Scott.	Young.
Shannon.	

## Nays—26

Adamson.	Hunter.
Alsup.	Jones of Runnels.
Anderson.	Lindsey.
Atchison.	Merritt.
Bergman.	Metcalf.
Bourne.	Mitcham.
Burns.	Puryear.
Butler.	Scarborough.
Chastain.	Thomas.
Daniel.	Van Zandt.
Fain.	Vaughan.
Harman.	Wagstaff.
Hoskins.	Winningham.

## Present—Not Voting

Moffett.

## Absent

Alexander.	Hester.
Barron.	Holekamp.
Beck.	Holloway.
Bradley.	Huddleston.
Camp.	Hyder.
Cathey.	Jones of Atascosa.
Caven.	Kayton.
Colson.	Long.
Coombes.	Mathis.
Davidson.	McCullough.
Dean.	McGregor.
Dunlap.	Morse.
Dunagan.	Patterson.
Dwyer.	Pope.
Fisher.	Roberts.
Ford.	Rogers of Hunt.
Goodman.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Tarwater.
Harrison.	Tennyson.
Hartzog.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

## HOUSE BILL NO. 101 ON SECOND READING

On motion of Mr. Jefferson, by unanimous consent, the regular order

of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 101, A bill to be entitled "An Act declaring the collared peccary or javelina a game animal; providing an open season for taking same and the number that may be taken or possessed; prohibiting the sale of any peccary or part of such animal; providing suitable penalty, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 101 ON THIRD READING

Mr. Jefferson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—98

Adamson.	Holekamp.
Alsup.	Holland.
Anderson.	Hoskins.
Atchison.	Huddleston.
Baker.	Hughes.
Barrett.	Hunter.
Bergman.	Jackson.
Bourne.	James.
Bradley.	Johnson
Butler.	of Anderson.
Calvert.	Jones of Shelby.
Canon.	Kyle of Hays.
Celaya.	Kyle of Palo Pinto.
Chastain.	Lange.
Clayton.	Latham.
Colson.	Lemens.
Coombes.	Leonard.
Cowley.	Lindsey.
Crossley.	Mackay.
Davidson.	Magee.
Dean.	Mathis.
Duvall.	McCullough.
Engelhard.	McGregor.
Fuchs.	McKee.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Morrison.
Goodman.	Munson.
Greathouse.	Nicholson.
Griffith.	Palmer.
Hankamer.	Parkhouse.
Harris.	Pavlica.
Hartzog.	Pope.
Head.	Ratliff.
Hill.	Ray.
Hodges.	Reader.



Reed of Dallas.  
Renfro.  
Riddle.  
Roark.  
Rogers of Hunt.  
Rollins.  
Russell.  
Savage.  
Scarborough.  
Scott.  
Shults.  
Smith.  
Stanfield.  
Steward.

Stinson.  
Stovall.  
Stubbeman.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Wagstaff.  
Walker.  
Wood.  
Young.

## Nays—15

Aikin.  
Burns.  
Camp.  
Daniel.  
Devall.  
Dunlap.  
Fain.  
Graves.

Harman.  
Jones of Runnels.  
Jones of Atascosa.  
Merritt.  
Purveyer.  
Reed of Bowie.  
Vaughan.

## Absent

Alexander.  
Barron.  
Beck.  
Cathey.  
Caven.  
Dunagan.  
Dwyer.  
Fisher.  
Ford.  
Harrison.  
Hester.  
Hicks.  
Holloway.  
Hyder.  
Jefferson.

Kayton.  
Laird.  
Long.  
Metcalf.  
Moore.  
Morse.  
Patterson.  
Roberts.  
Rogers  
of Ochiltree.  
Shannon.  
Van Zandt.  
Wells.  
Winningham.

## Absent—Excused

Bedford.  
Hunt.  
Johnson  
of Dimmit.

Lotief.  
McDougald.  
Ramsey.  
Weinert.

The Speaker laid House Bill No. 101 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 144 ON SECOND READING

On motion of Mr. Latham, the regular order of business was suspended, to take-up, and have placed on its second reading and passage to engrossment,

H. B. No. 144, A bill to be entitled "An Act amending Article 3883, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the

Forty-third Legislature; and amending Article 3902, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature; providing for the fees of office that may be retained by certain precinct officers in certain counties; providing for salaries that may be paid certain assistants to certain officers in certain counties; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 144 ON THIRD READING

Mr. Latham moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—107

Adamson.	Harris.
Aikin.	Hartzog.
Alexander.	Head.
Alsup.	Hicks.
Anderson.	Hill.
Atchison.	Hodges.
Baker.	Holekamp.
Barrett.	Holland.
Beck.	Hoskins.
Bergman.	Huddleston.
Bourne.	Hughes.
Burns.	Hunter.
Butler.	James.
Calvert.	Johnson
Canon.	of Anderson.
Caven.	Jones of Runnels.
Clayton.	Jones of Shelby.
Colson.	Kyle of Palo Pinto.
Coombes.	Lange.
Crossley.	Latham.
Daniel.	Lemens.
Davidson.	Leonard.
Dean.	Long.
Devall.	Mackay.
Duvall.	Magee.
Dwyer.	Mathis.
Engelhard.	McCullough.
Fisher.	McGregor.
Fuchs.	McKee.
Glass.	Merritt.
Golson.	Metcalf.
Good.	Mitcham.
Goodman.	Moffett.
Greathouse.	Moore.
Griffith.	Morrison.
Hankamer.	Munson.

Nicholson.	Scott.
Palmer.	Shannon.
Parkhouse.	Shults.
Patterson.	Smith.
Pavlica.	Stanfield.
Pope.	Steward.
Puryear.	Stinson.
Ratliff.	Stubbeman.
Ray.	Tarwater.
Reader.	Thomas.
Reed of Bowie.	Tillery.
Reed of Dallas.	Turlington.
Renfro.	Wagstaff.
Roark.	Walker.
Rogers	Wells.
of Ochiltree.	Winningham.
Rollins.	Wood.
Russell.	Young.
Scarborough.	

## Nays—5

Chastain.	Rogers of Hunt.
Fain.	Vaughan.
Graves.	

## Absent

Barron.	Jefferson.
Bradley.	Jones of Atascosa.
Camp.	Kayton.
Cathey.	Kyle of Hays.
Celaya.	Laird.
Cowley.	Lindsey.
Dunlap.	Morse.
Dunagan.	Riddle.
Ford.	Roberts.
Harman.	Savage.
Harrison.	Stovall.
Hester.	Tennyson.
Holloway.	Townsend.
Hyder.	Van Zandt.
Jackson.	

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

The Speaker laid House Bill No. 144 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adamson.	Butler.
Alsup.	Calvert.
Anderson.	Canon.
Atchison.	Caven.
Baker.	Celaya.
Barrett.	Chastain.
Beck.	Clayton.
Bergman.	Colson.
Bourne.	Coombes.
Bradley.	Crossley.
Burns.	Daniel.

Davidson.	Merritt.
Dean.	Metcalfe.
Devall.	Mitcham.
Dunlap.	Moffett.
Duvall.	Moore.
Dwyer.	Morrison.
Engelhard.	Munson.
Fisher.	Palmer.
Glass.	Parkhouse.
Golson.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Greathouse.	Ratliff.
Griffith.	Reader.
Hankamer.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Roark.
Hicks.	Rogers of Hunt.
Hill.	Rollins.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.
Hunter.	Shults.
James.	Smith.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kayton.	Stubbeman.
Kyle of Palo Pinto.	Tarwater.
Lange.	Tennyson.
Latham.	Thomas.
Lindsey.	Tillery.
Long.	Townsend.
Mackay.	Turlington.
Magee.	Wagstaff.
Mathis.	Walker.
McCullough.	Wells.
McGregor.	Wood.
McKee.	Young.

## Nays—3

Aikin.	Vaughan.
Fain.	

## Absent

Alexander.	Jefferson.
Barron.	Jones of Atascosa.
Camp.	Kyle of Hays.
Cathey.	Laird.
Cowley.	Lemens.
Dunagan.	Leonard.
Ford.	Morse.
Fuchs.	Nicholson.
Graves.	Patterson.
Harman.	Ray.
Harrison.	Riddle.
Hester.	Roberts.
Holloway.	Rogers
Hughes.	of Ochiltree.
Hyder.	Van Zandt.
Jackson.	Winningham.

## Absent—Excused

Bedford.	Lotief.
Hunt.	McDougald.
Johnson	Ramsey.
of Dimmit.	Weinert.

## SENATE BILL NO. 22 ON SECOND READING

On motion of Mr. Savage, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 22, A bill to be entitled "An Act to provide for holding a Texas Centennial Celebration or Celebrations, in 1936; to provide for the creation of a Texas Centennial Commission of not less than twenty-one members and its permanent organization, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall Senate Bill No. 22 pass to third reading?

## HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Camp and Mr. James:

H. B. No. 174, A bill to be entitled "An Act amending Article 2676, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 34, Acts, Third Called Session, Forty-second Legislature (relating to general management and control of the public free schools and high schools in each county), and declaring an emergency."

Referred to Committee on Education.

## ADJOURNMENT

Mr. Hoskins moved that the House recess to 8 o'clock p. m., today.

Mr. Burns moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Anderson moved that the House recess to 10 o'clock a. m., tomorrow.

The motion of Mr. Burns prevailed, and the House, accordingly, at 5:45 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Highways and Motor Traffic: Senate Bill No. 16.

Public Health: Senate Bill No. 38.  
Judiciary: House Bills Nos. 135 and 165.

Municipal and Private Corporations: Senate Bill No. 24.

Counties: House Bills Nos. 172 and 173.

Conservation and Reclamation: Senate Bill No. 48.

The Committee on Highways and Motor Traffic filed an adverse report on House Bill No. 20.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 148, A bill to be entitled "An Act to amend Article 878, of the Penal Code of the Revised Civil Statutes of 1928, relating to the wild duck and geese zone; placing certain counties in the north zone which are now located in the south zone, being Shelby, Nacogdoches, San Augustine, Angelina, Sabine, Polk, Tyler, Jasper, and Newton, and changing the zone line as to include these counties in the north zone, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 138, A bill to be entitled "An Act repealing all of Section 6-a, of House Bill No. 11, Chapter 214, Acts, Regular Session, Forty-third Legislature, page 637, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 168, A bill to be entitled  
"An Act providing that cities with a  
population of more than nine thou-  
sand and seventy (9,070) and less  
than nine thousand and eighty (9,080)  
inhabitants, according to the last pre-  
ceding Federal Census, may mort-  
gage and encumber their abattoirs,  
irrigation systems, and/or airports,  
and the income thereof, or either of  
them, for the purpose of acquiring  
or improving the same; providing for  
manner of issuance of notes or war-  
rants for such purposes, and provid-  
ing that this law shall take preced-  
ence over conflicting charter provi-  
sions; repealing all laws in conflict  
herewith; providing a saving clause,  
and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 156, A bill to be entitled  
"An Act validating the consolidation  
proceedings consolidating Buffalo In-  
dependent School District of Leon  
County, and Concord Common School  
District No. 41 and Martin Common  
School District No. 8 of Freestone  
County; providing for a board of  
trustees; etc., and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 122, A bill to be entitled  
"An Act amending Title 26, of the  
Revised Civil Statutes of Texas, 1925,  
providing for the creation of trust  
fund, for maintenance of cemetery  
lots, and the appointment of trus-  
tees and substitute trustees therefor,  
and for the construction of said trust;

defining terms; providing for the or-  
ganization of cemetery corporations;  
etc.,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 14, A bill to be entitled  
"An Act to amend Article 5395, of  
Chapter 5, of Title 86, of the Revised  
Civil Statutes of Texas, 1925, relat-  
ing to the time of payment of rentals  
on mining claims awarded under  
Article 5394, of Chapter 5, of Title  
86, of the Revised Civil Statutes of  
Texas, 1925; suspending for a period  
of one year from the effective date  
of this Act all laws and parts of laws  
in conflict herewith, and declaring an  
emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 141, A bill to be entitled  
"An Act to prohibit the taking, kill-  
ing, or possession of wild fox for the  
purpose of barter or sale in cer-  
tain counties, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,  
Austin, Texas, February 22, 1934.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 32, A bill to be entitled  
"An Act to amend Section 6-a, of  
Section 27, of the General Laws of  
the Forty-third Legislature, First  
Called Session, so as to reduce reg-  
istration license fees on commercial  
motor vehicles, without trailers or  
semi-trailers, when same are used ex-  
clusively by the owner thereof, in the  
transportation of his poultry, dairy,  
live stock, and farm products, grown

or produced by him, to market or to other points for sale or processing, and for the transportation of laborers and supplies, without charge, by the owner of such commercial motor vehicle, from places of purchase to his own farm or ranch for his exclusive use; etc.,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 65, "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Houston County during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 73, "An Act amending Chapter 49, Acts of the Forty-third Legislature, First Called Session, page 145 (Article 3886-b), providing for the maximum compensation of assistant county attorneys and other employees of the county attorney in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants, and not more than one hundred and fifty thousand (150,000) inhabitants, and containing two cities of fifty thousand (50,000) population or more each, according to the last preceding Federal Census; providing for the compensation of assistant county attorneys and other employees of the county attorney in such counties; repealing all laws and parts of laws

in conflict herewith; providing that this Act shall become effective from and after its passage, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 116, "An Act amending Articles 5740, 5742, 5744, and 5757, of the Revised Civil Statutes of Texas of 1925, relating to co-operative marketing associations, said Articles being a portion of what is commonly known as the 'Co-operative Marketing Act of Texas,' and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 121, "An Act amending Sections 1 and 77, of Chapter 27, of the General and Special Laws passed by the Forty-second Legislature, at its Third Called Session, approved September 21, 1932; providing that navigation districts within this State, organized under the provisions of Section 59, of Article XVI, of the Constitution, and under the provisions of Chapter 5, of the General Laws passed by the Thirty-ninth Legislature of the State of Texas at its Regular Session, and Acts amendatory thereof, or created, organized, existing, doing business, or acting under any local and special law of the Legislature of the State of Texas and purporting to have been enacted under the provisions of said Section 59, of Article XVI, which have voted bonds but not issued or otherwise finally disposed of same, shall be deemed as coming originally within the scope of said Act and that no proceedings provided in Section 93 of said Act shall be required as a prerequisite to the exercise of the rights, powers, privileges and benefits of such Act; granting such dis-

tricts power and authority to enter into valid and binding contracts to apply such net revenues over and above their maintenance and operation cost as may be derived from all sources other than by taxation, to the payment of principal and interest of their bonds issued in accordance with the laws of the State of Texas; authorizing such districts to make contracts with the United States Government or any department, bureau or agency thereof for loans and grants under the terms and conditions and regulations and requirements of such departments, bureaus and agencies under the provisions of the 'National Industrial Recovery Act' and other Federal laws now in force or which may be hereafter enacted; providing for the issuance of writs of mandamus and injunction in certain cases for the enforcement of such contracts; and validating all contracts heretofore entered into by such navigation districts with the Federal Emergency Administrator of Public Works or other department, bureau or agency of the Government of the United States for the purpose of borrowing money from or selling their bonds to the United States Government or any department, bureau, or agency thereof; providing nothing herein contained shall be construed as amending Chapter 111, of the Acts of the First Called Session of the Forty-third Legislature, and does not repeal or change said Act, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 158, "An Act fixing a limitation period of two (2) years for the bringing of suits of any kind on account of the closing and abandonment of public streets or alleys or public roads or thoroughfares, or any parts thereof, other than State highways, by ordinance of the governing body of a city or town or by order of the commissioners court of a county; requiring causes of action accruing before the effective date of this Act, and not then already barred

by existing limitation laws, to be sued upon within two (2) years after such effective date, and not thereafter, and causes of action accruing on or after the effective date of this Act to be sued upon within two (2) years after the passage of the ordinance or order in question, and not thereafter; giving limitation title to parties in possession of land in question upon failure to sue within the time fixed by this Act; barring right of cities, towns, and counties to revoke or rescind such closing and abandonment in the situation last above-mentioned; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 91, "An Act declaring a five (5) year closed season on wild fox in certain counties; providing a penalty for violation of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 81, "An Act amending Article 879 and Article 879-b, of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, Chapter 215, and amended by Acts of the Fourth Called Session of the Forty-first Legislature, page 29, Chapter 19, providing an open season or period of time when it shall be lawful to hunt, take, or kill wild mourning doves, wild quail of all kinds and wild Mexican pheasants, or chachalaca, in the north and south zones, as such zones are defined in Article 878, of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and in the south white wing zone; repealing

any provision of law in conflict with this Act; making it unlawful to hunt, take, or kill wild mourning doves, wild quail of all kinds, wild Mexican pheasants, or chachalaca, at any other time of year; providing a penalty, and declaring an emergency,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 35, "An Act making an appropriation of ten thousand dollars (\$10,000), to be used by the State Board of Water Engineers, for assembling the necessary data, and for necessary expenses incurred in presenting application of Brazos River Conservation and Reclamation District before the Public Works Administration and the Department of Interior and the President of the United States, and for paying the existing indebtedness of said Brazos River Conservation and Reclamation District, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,  
Austin, Texas, February 23, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 62, "An Act validating refunding bonds issued by certain water improvement districts under authority of Acts, 1933, Forty-third Legislature, page 171, Chapter 78; authorizing a relevy to be made for prior years where part or all the bonded indebtedness of such water improvement district has been refunded, so as to reduce or eliminate certain levies no longer needed; providing for remission of penalties and interest in certain cases of delinquent taxes levied by such water improvement districts; providing that the unconstitutionality of any part or parts of this Act shall not affect the validity of the remaining parts thereof, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## SEVENTEENTH DAY

(Saturday, February 24, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Adamson.	Hughes.
Aikin.	Hunter.
Alexander.	Hyder.
Alsup.	Jackson.
Anderson.	James.
Atchison.	Jefferson.
Baker.	Johnson
Barrett.	of Anderson.
Barron.	Jones of Atascosa.
Beck.	Jones of Runnels.
Bergman.	Jones of Shelby.
Bourne.	Kayton.
Bradley.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Butler.	Laird.
Calvert.	Lange.
Camp.	Latham.
Canon.	Lemens.
Cathey.	Leonard.
Caven.	Lindsey.
Celaya.	Long.
Chastain.	Mackay.
Clayton.	Magee.
Colson.	McCullough.
Coombes.	McGregor.
Cowley.	McKee.
Crossley.	Merritt.
Daniel.	Metcalf.
Davidson.	Mitcham.
Dean.	Moffett.
Devall.	Moore.
Dunlap.	Morrison.
Duvall.	Munson.
Dwyer.	Nicholson.
Engelhard.	Palmer.
Fain.	Parkhouse.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Pope.
Good.	Purveyer.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Hartzog.	Roark.
Head.	Rogers of Hunt.
Hester.	Rogers
Hicks.	of Ochiltree.
Hill.	Rollins.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.